

## **REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the Office Action dated December 23, 2008.

### **Claim Rejections – 35 USC § 112**

In the Applicant's submission, the specification as filed is unequivocally clear that the "netpage pen" and the "optically imaging pen" are one of the same.

However, in deference to the Examiner's rejection, page 10 of the specification has been amended to state explicitly that the "netpage pen 101" is the "optically imaging pen".

### **Claim Rejections – 35 USC § 103**

Having considered carefully the Examiner's rejections in view Speiser, Dymetman and Cross, claim 1 has been further amended to specify that the pen has a nib and further:

"wherein the position of the nib is calculated using a perspective transform, determined from the imaged coded data, and a known spatial relationship between an optical axis of the pen and the nib"

Basis for this amendment can be found at page 20, lines 1-5 of the specification.

With particular reference to the above-identified claim feature, it is submitted that this feature is not taught by any of Speiser, Dymetman or Cross.

As explained on page 20 of the present specification, the use of a perspective transform enables an accurate determination of nib position. In tracking pen clicks, or handwriting movement on a printed bill, it is important for the system to know precisely *where* the nib is positioned. Any approximations lead to inherent inaccuracies in the system, which are highly undesirable.

When referring, for example, to Figure 11 and column 17, lines 1-10 of Dymetman, it can be seen that Dymetman attempts to provide some positional accuracy by placing a writing tip (*i.e.* nib) as close as possible to the field of view of an image sensor. However, due to design constraints and the expected interference with the imaging system, the nib can never be positioned within the field of view of the image sensor. Thus, the accuracy of Dymetman's pen is inherently limited – data received by Dymetman's computer system is not an accurate indication of an actual nib position; rather it is only an approximation.

By contrast, the present invention provides accurate data relating to nib position. This is computed from a perspective transform, determined from imaged coded data, and a known geometry of pen optics. Since Dymetman, Speiser and Cross are wholly silent on how nib position may be determined with high accuracy, and since none of the prior art teaches or suggests the features now specified in claim 1, it is submitted that the present invention is not obvious.

Claim 29 has been amended in line with claim 1 and similar arguments apply to this claim as well.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant/s:



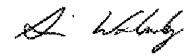
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